

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CORE OPTICAL TECHNOLOGIES, LLC,  
Plaintiff,  
v.  
JUNIPER NETWORKS INC,  
Defendant.

Case No. [21-cv-02428-VC](#)

**ORDER GRANTING IN PART  
MOTION TO SEAL**

Re: Dkt. No. 80

Core’s motion to seal is granted in part. *See* Dkt. No. 80. Counsel for Juniper has identified portions of the documents Core moved to seal as revealing confidential aspects of Juniper’s products, including customer and business information, such as the identities of Juniper’s suppliers.<sup>1</sup> *See* Dkt. No. 92. Juniper asserts that disclosure of such information could violate Juniper’s contractual obligations to customers and harm its competitive standing in the market.

Where a motion “is more than tangentially related to the merits of a case,” a party seeking to seal documents must provide “compelling reasons.” *Center for Auto Safety v. Chrysler Group, LLC*, 809 F.3d 1092, 1103 (9th Cir. 2016). Courts in this district differ about whether motions for leave to file amended pleadings fit the bill. *Compare Gatan, Inc. v. Nion Co.*, 2017 WL 57337, at \*4 (N.D. Cal. Jan. 5, 2017) (applying the “good cause” standard to a motion for leave to amend), *with Heath v. Google Inc.*, 2017 WL 3530593, at \*2 (N.D. Cal. Aug. 14, 2017) (applying the “compelling reasons” standard “in connection with a motion to amend

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<sup>1</sup> The Court erred previously in finding that no declaration had been filed. *See* Dkt. No. 129.

the complaint”).

Even assuming that the more stringent standard applies, Juniper has identified compelling reasons to seal the portions of the documents it identifies in the declaration. The identified portions contain information that if disclosed, “might harm” Juniper’s “competitive standing.” *Nixon v. Warner Communications, Inc.*, 435 U.S. 589, 598 (1978).

Juniper’s request is notably narrower than the materials Core originally designated. As a result, the motion is granted only as to those specific portions of the documents identified by Juniper in the declaration submitted by counsel. Core is ordered to file redacted versions of Exhibit B and Exhibit J to its reply in support of its motion for leave to file an amended complaint within seven days of this order.

**IT IS SO ORDERED.**

Dated: April 22, 2022

A handwritten signature in black ink, appearing to read 'Vince', is written over a horizontal line.

VINCE CHHABRIA  
United States District Judge